



Paper No. 15

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OFFICE OF PETITIONS

In re Application of
Stringham et al.
Application No. 09/640,710
Filed: August 18, 2000
Attorney Docket No. REC-6201

DECISION ON PETITION

This is a decision on petition under 37 CFR 1.137(b), filed July 31, 2003, to revive the above-identified application.

This above-identified application became abandoned for failure to timely file a proper reply to a final Office Action pursuant to 37 CFR §1.113. The final Office Action was mailed on January 3, 2003 and set a three (3) month shortened statutory period for reply. An amendment was submitted on February 6, 2003. In response to the amendment an Advisory Action was mailed on February 25, 2003 indicating the amendment submitted on February 6, 2003 did not place the application in condition for allowance. Accordingly, this application became abandoned on April 4, 2003. A Notice of Abandonment was mailed on July 29, 2003.

The requirements for a grantable petition under 37 CFR §1.137(b) have been met. This petition is hereby **Granted**.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR §10.18(b). In the event that such an inquiry has not been made, Petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR §1.137(b) was unintentional, petitioner must notify the Office.

There is no indication that Petitioner herein was ever empowered to prosecute the instant application. If Petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation and change of correspondence address must be submitted. A courtesy copy of this decision will be mailed to Petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary.

The Request for Continued Examination (RCE) and the amendment submitted on February 6, 2003 will be forwarded to Technology Center 2800 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 306-0251.



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